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DOCKET NO. S-20651A-09-0029

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MOTION TO DELAY DEADLINE FOR: Witnesses and Exhibits & the Trial

Docket Control  
Arizona Corporation Commission  
1200 West Washington  
Phoenix, AZ 85007

Whereas an oral agreement is binding, especially when made by a judge and recorded in a legal proceeding and whereas Administrative Law Judge, Mr. Marc E. Stern made a promise (an oral agreement) that I could request and receive mediation and whereas I did formally request mediation, therefore mediation must be granted.

Additionally since mediation has yet to be granted as promised and legally and morally required, the dates for providing witness lists and exhibits is premature and improper. Furthermore, the date for a trial is also premature and improper.

Whereas I had a reasonable expectation to get the mediation I was promised by the Judge, whereas it was a legally binding agreement, I therefore have not had proper time to prepare for dates that should have been made unnecessary if mediation had already been granted as promised.

Thereby the deadline date to provide a witness list and exhibits as well as the trial must be delayed if fairness and justice are considered.

Sincerely, Kyle Schmierer 7-9-2009

7-9-09

Arizona Corporation Commission

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